

Message Text

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ACTION SCI-06

INFO OCT-01 EUR-25 IO-14 ISO-00 AID-20 CEQ-02 CIAE-00

COA-02 COME-00 DODE-00 EB-11 EPA-04 INR-10 L-03

NSF-04 NSC-10 NSAE-00 PM-07 RSC-01 SS-20 SPC-03

FEA-02 SAM-01 PA-04 PRS-01 USIA-15 DRC-01 /167 W

----- 005221

R 301830Z JAN 74

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 7554

INFO AMEMBASSY BONN

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

USMISSION GENEVA

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E.O. 11652: N/A

TAGS: SENV, XG

SUBJ: SECOND SESSION OF CONFERENCE ON LAND-BASED SOURCES
OF MARINE POLLUTION

REF: (A) STATE 13966; (B) GENEVA 0480; (C) STOCKHOLM
337

SUMMARY. INFORMATION FROM UK FCO SUPPORTS THAT REPORTED
REFS (A) AND (B). UK BELIEVES MAY BE PREFERABLE TO
CONTROL LAND-BASED POLLUTION THROUGH REGIONAL AGREE-
MENTS RATHER THAN GLOBAL. LEGAL PROBLEMS WITHIN THE
EUROPEAN COMMUNITY MAY PREVENT AGREEMENT BEING REACHED
ON CONVENTION AT MEETING IN LATE FEBRUARY. END SUMMARY.

1. WE DISCUSSED SUBJECT MEETING WITH FOREIGN AND
COMMONWEALTH OFFICE (FCO) SCIENCE AND TECHNOLOGY
DEPARTMENT PER REQUEST REFTEL. ANSWERS WE OBTAINED TO
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SPECIFIC QUESTIONS IN REF (A) FOLLOW CLOSELY THOSE RE-

PORTED REFS (B) AND (C).

2. IN REGARD TO CONTROL OF LAND-BASED SOURCES OF POLLUTION INTRODUCED INTO THE SEA BY AIR, FCO CONFIRMED THIS ISSUE NOT SPECIFICALLY COVERED BY CONVENTIONS BUT WOULD BE EXPECTED TO BE CONTROLLED BY PARTICIPATING STATES WITHIN SPIRIT OF THE CONVENTION TO DO UTMOST TO LIMIT POLLUTION. OUR SOURCE SAID THE TYPES OF POLLUTANTS TO BE CONSIDERED UNDER THE PROPOSED CONVENTION WOULD BE VERY CLOSE TO THE LIST INCLUDED UNDER THE OSLO CONVENTION. THE INCLUSION OF RADIO ACTIVE WASTES ALSO IS BEING CONSIDERED. A DECISION ON INCLUDING THEM WILL DEPEND ON WHETHER OR NOT A REVIEW OF ALREADY EXISTING ARRANGEMENTS FOR THEIR CONTROL SEEM ADEQUATE.

3. IN RESPONSE TO QUESTION ON RESPONSIBILITY OF UPSTREAM STATE TO COASTAL OR OTHER STATES, FCO POINTED OUT SUBJECT CONVENTION IS ENVISAGED AS PART OF AN OVERALL POLLUTION CONTROL PACKAGE CONSISTING OF THREE SEPARATE BUT INTERFACING AND OVERLAPPING AREAS AND SETS OF AGREEMENTS. IN THIS REGARD, FRESH WATER POLLUTION UPSTREAM OF THE COASTAL AREA WILL BE HANDLED IN EUROPE UNDER CONVENTION BEING WORKED OUT WITHIN COMMUNITY; THE SUBJECT CONVENTION WOULD APPLY TO COASTAL AREAS; THE OCEAN DUMPING, OIL POLLUTION AND OTHER AGREEMENTS WOULD COVER THE HIGH SEAS. IN THE BRITISH VIEW, THE LAND-BASED POLLUTION CONVENTION IS NOT SO MUCH INVOLVED WITH THE LARGE NORTH-EAST ATLANTIC OCEAN AREA DESCRIBED IN REFS (B) AND (C) WHICH IS OUTLINED IN THE DRAFT ARTICLES BUT ACTUALLY WITH THE COASTAL AREAS SURROUNDING IT. IN-KEEPING WITH THIS VIEW, FCO NOTED THAT, WHILE SOME CONSIDERATION HAD BEEN GIVEN TO EXPANDING SCOPE OF THE CONVENTION, INITIAL UK VIEW IS THAT BEST APPROACH TO POLLUTION FROM LAND-BASED SOURCES MIGHT BE REGIONAL ONE LIMITED TO STATES HAVING MORE OR LESS SHARED COAST LINE (E.G. NORTHERN UK AND NORTHERN EUROPEAN STATES IN THIS AREA, AND SEPARATE AGREEMENT BETWEEN NORTH AMERICAN STATES ON OTHER SIDE OF ATLANTIC).

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4. FCO POINTED OUT THAT MEETING IN FEBRUARY WAS REQUIRED SINCE IT NOT POSSIBLE TO OBTAIN FINAL AGREEMENT AT DECEMBER MEETING AS HAD BEEN SCHEDULED. UNSPECIFIC REFERENCE WAS MADE TO "LEGAL PROBLEMS" WITHIN EUROPEAN COMMUNITY WHICH WERE SAID TO HAVE CAUSED DISAGREEMENT; WORKING GROUP IS NOW TRYING TO RESOLVE THIS ISSUE PRIOR TO FEBRUARY MEETING, BUT THERE SEEMED TO BE GENUINE DOUBT ON UK SIDE WHETHER

OR NOT THIS WILL BE POSSIBLE.

5. WE WERE TOLD THAT UK CONCERNED THAT IF AGREEMENT
NOT POSSIBLE IN FEBRUARY FURTHER MEETINGS MAY BE
DEFERRED INDEFINITELY THUS AT LEAST DELAYING EVENTUAL
CONCLUSION OF CONVENTION WHICH UK SUPPORTS AND WISHES
TO SEE COME INTO FORCE.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: WATER POLLUTION, AGREEMENTS, POLLUTION CONTROL
Control Number: n/a
Copy: SINGLE
Draft Date: 30 JAN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974LONDON01382
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: LONDON
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t1974016/aaaaafbu.tel
Line Count: 124
Locator: TEXT ON-LINE
Office: ACTION SCI
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: (A) STATE 13966; (B) GENEVA 0480; (C,) STOCKHOLM
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 25 JUL 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <25-Jul-2001 by maustmc>; APPROVED <30 MAY 2002 by morefirh>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SECOND SESSION OF CONFERENCE ON LAND-BASED SOURCES OF MARINE POLLUTION
TAGS: SENV, XG
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005